THE HON'BLE SRI JUSTICE V. ESWARAIAH

W.P.No.5400 of 2005

Dated:08-02-2007

Between:-

K.A. Lakshmana Rao and four others.

..Petitioners

And

The Station House Officer, Bheemunipatnam,
Visakhapatnam district and another.

..Respondents.

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W.P.No.5400 of 2005

:O R D E R:

The petitioner seeks to issue a writ of Certiorari and to quash the First Information Report in Cr.No. 13 of 2005 of Police Station, Bheemunipatnam. It is stated that on the basis of a report submitted by the Mandal Revenue Officer, Vishakapatnam (Rural) dated 10-01-2005, the Station House Officer, Bheemunipatnam registered a case in Cr.No.13 of 2005 for the offences punishable under Sections 465, 466 and 471 IPC and the investigation is taken up. During investigation seven witnesses were examined. Unless the said complaint is enquired and investigated and an appropriate report is filed before the concerned Magistrate, it may not be just and proper to quash the proceedings without appreciating the relevant issue involved in the written complaint. If any report is filed, it is always open to the petitioner to put forth his defence.

More over when the matter is listed on 25-01-2007 there is no representation on behalf of the petitioner and hence the matter is directed to be posted on 06-02-2007. Even today also, none appears for the petitioner. In the circumstances, writ petition is dismissed. No costs.

V. ESWARAIAH, J

Dated: 08-02-2007.
Pvks/*